

MEMO ENDORSED

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January 23, 2018

Re: Smith v. NYC Dep't of Correction, et al., No. 17 Civ. 6104 (WHP)

Dear Judge Pauley:

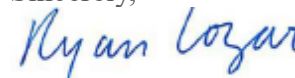
In this case, Plaintiff Sean Smith presently represents himself pro se. I write to inform the Court that Mr. Smith, who is presently in DOCCS custody at Franklin Correctional Facility, has sent me correspondence asking me to represent him. I am considering it and, to that end, I sent Mr. Smith correspondence of my own and I will tomorrow submit a request to Franklin Correctional Facility asking them to help me organize a telephone call with Mr. Smith so that we may reach a representation decision.¹ In short, while I am considering representing Mr. Smith, I have not yet committed to do so.

In the meantime, there is a January 25, 2018, initial conference before Your Honor. Defense Counsel arranged to have Mr. Smith appear by telephone. I spoke to Defense Counsel very briefly today to inform them that I would file this letter. Defense Counsel indicated that, in the event that the Court would like to adjourn the January 25, 2018, conference so that Mr. Smith and I may speak about my possible representation of him, they consent.

However, I would like to stress that because of the timing of my correspondence with Mr. Smith, and the fact that it only today occurred to me that it might be prudent to file this letter, I am unable to provide the Court with Mr. Smith's position regarding whether he would like to keep and manage the January 25, 2018, initial conference himself or have it adjourned.

I thank the Court kindly for reading.

In view of Plaintiff's potential retention of counsel, Sincerely,
the initial conference on January 25, 2018 is
adjourned. The undersigned counsel is directed
to provide an update regarding his representation
of Plaintiff by no later than February 2, 2018.
The initial conference is re-scheduled to
February 7, 2018 at 2:00 p.m.


Ryan Lozar

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

1-24-18

¹ Given my experience with organizing such calls, I am hopeful that it can take place sometime towards the end of next week.